Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: Project Number 42429

Date: November 3, 2015

Re: Sole Source Certification Number 3851 for Compuware Mainframe Software Maintenance Renewal for the Mississippi Department of Information Technology Services (ITS)

Contact Name: Chris Grimmer

Contact Phone Number: 601-432-8208

Contact E-mail Address: Chris.Grimmer@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3851 for Compuware Mainframe Software Maintenance Renewal for the Mississippi Department of Information Technology Services (ITS), please be advised that ITS intends to award the maintenance renewal to Compuware Corporation as the sole source provider of Compuware mainframe software maintenance through December 31, 2017, in an amount not to exceed $144,620.00.   For an explanation regarding Mississippi state law, policy, and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

    File-AID enhances the productivity of application developers, helps in test data management, controls IT costs related to test data creation, reduces the expense of text execution runtimes and prevents accidental or malicious misuse of customer information with test data privacy. Xpediter tools are debugging and analysis tools for developers.   These tools help developers gain an intuitive understanding of application functionality, resolve production abends without impacting program logic or risking data corruption, decrease batch application deployment time and increase reliability, monitor and control execution with added flexibility, trap transactions initiated by a remote source or a non-terminal task and provide quick assessments of test-related risk and documentation testing. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

The Compuware products (File-AID/MVS, Xpediter/CICS, Xpediter/CICS Assembler Option and Xpediter/TSO) were acquired through a competitive procurement in 1993. As each product was implemented, operational procedures for the Data Center and customers were built around those products. Although other products can perform the same function, the conversion from one product to another is challenging. When a Data Center implements a product that is integrated into the operational environment, converting to a competing product is time consuming, requires retraining, and is disruptive to the organization; therefore, the ITS Data Center has made a business decision to continue the use of these products. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

   Compuware is the proprietary owner and only support for the four products. Compuware is the sole source provider of support and maintenance renewals. The vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	11/3/15
Second Advertisement Date	11/10/15
Response Deadline From Objectors	11/18/15, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 11/19/15

Project Details

ITS would like to renew the Software Maintenance on File-AID/MVS, XPEDITER/CICS, XPEDITER/CICS ASSEMBLER OPTION and XPEDITER/TSO for a 2-year period. File-AID is a cross-platform file and data management solution that provides quick and convenient access to the necessary data and files enabling developers to focus their time on actual development work instead of building test data. Xpediter is a mainframe application interactive debugger and code coverage solution. These products were originally purchased in 1993 through a competitive procurement. The State has made a business decision to continue the use of File-AID and Xpediter, rather than purchasing new licenses for similar mainframe software. The approximate total spent to date is $1,981,659.94.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Compuware mainframe software maintenance should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Compuware Corporation.

        1.1   Interested Party Information

                1.1.1   Contact Name, Phone Number and email address

                1.1.2   Company Website URL, if applicable

        1.2   Objection to Sole Source Certification

1.2.1   Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2   A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3   Comments will be accepted at any time prior to Wednesday, November 18, 2015, at 3:00 p.m. (Central Time) to Chris Grimmer at Chris.Grimmer@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail, or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES.   It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Chris Grimmer to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4   Interested Party responses should include the following information:

SUBMITTED IN RESPONSE TO
Sole Source Certification No. 3851-42429
Accepted until November 18, 2015 @ 3:00 p.m.,
ATTENTION: Chris Grimmer

If you have any questions concerning the information above or if we can be of further assistance, please contact Chris Grimmer at 601-432-8208 or via email at Chris.Grimmer@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview

ITS
mississippi department of
Information Technology Services

3771 Eastwood Drive
Jackson, Mississippi 39211
Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request

Project Title: Renew Compuware Maintenance	**Stimulus (ARRA) Funds? Yes__ No X**

Customer Contact Information

Agency/Public University: MS Department of Information Technology Services (ITS) **Address**: 3771 Eastwood Drive Jackson, MS 39211	**Contact Person:** Lynn Templeton **Phone:** 601-432-8054 **Fax:** 601-713-6380 **Email Address:** lynn.templeton@its.ms.gov
MAGIC Customer Number (only required from state agencies): 7000000174 (ITS – Data Services)	**Division/Dept:** 0131 **Handmail:** ☒ Yes ☐ No

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable): ITS would like to renew the Software Maintenance on File-AID/MVS, XPEDITER/CICS, XPEDITER/CICS ASSEMBLER OPTION and XPEDITER/TSO for a 2-year period. File-AID is a cross-platform file and data management solution that provides quick and convenient access to the necessary data and files enabling developers to focus their time on actual development work instead of building test data.   Xpediter is a mainframe application interactive debugger and code coverage solution. These products were originally purchased in 1993 through a competitive procurement. The State has made a business decision to continue the use of File-AID and Xpediter, rather than purchasing new licenses for similar mainframe software.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):
12/31/2017

Cost Estimates
Fiscal Year
	Initial Costs	*Ongoing Costs*	**Time Constraints**
			   Item Needed by: 12/21/2015
			   Funds Expire: 12/31/2015
				Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 2 years

2016		$72,310.00	**Discuss Funding** (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds): All funding is definite and there are no matching funds. All funding will be through ITS.	
2017		$72,310.00		
Total		$144,620.00		

Acquisition Details

Items Requested	Quantity	Description	Building Location(s)
File-AID/MVS	705	Mainframe software maintenance	State Data Center
Xpediter/CICS with Cobol	705	Mainframe software maintenance	State Data Center
Assembler Option for Xpediter/CICS	705	Mainframe software maintenance	State Data Center
Xpediter/TSO with COBOL	705	Mainframe software maintenance	State Data Center

Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification: This will be run in the State Data Center on IBM z114 2818-R03 sn# 0F3E7 running 705 licensed MIPS and 88 MSUs.

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? We have met with the Compuware representative. They have provided a Sole Source letter which I have attached.

Sole Source Certification   Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.

Specific business requirements to be met by the requested products or services: File-AID enhances the productivity of application developers, helps in test data management, controls IT costs related to test data creation, reduces the expense of text execution runtimes and prevents accidental or malicious misuse of customer information with test data privacy. Xpediter tools are debugging and analysis tools for developers. These tools help developers gain an intuitive understanding of application functionality, resolve production abends without impacting program logic or risking data corruption, decrease batch application deployment time and increase reliability, monitor and control execution with added flexibility, trap transactions initiated by a remote source or a non-terminal task and provide quick assessments of test-related risk and documentation testing.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality)**:** The Compuware products (File-AID/MVS, Xpediter/CICS, Xpediter/CICS Assembler Option and Xpediter/TSO) were acquired by RFP in 1993. As each product was implemented, operational procedures for the Data Center and customers were built around those products. Although other products can perform the same function, the conversion from one product to another is challenging.   When a Data Center implements a product that is integrated into the operational environment, converting to a competing product is time consuming, requires retraining, and is disruptive to the organization; therefore, the ITS Data Center has made a business decision to continue use of these products.

Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or

Attachment A

evaluated): Compuware is the proprietary owner and only support for the four products. Compuware is the sole source provider of support and maintenance renewals.	
Explain why the amount to be expended for the services is reasonable: NA	
Explain what your agency did to obtain the best possible price for the services: NA	
Vendor's Certification of Sole Source attached: ☒ **Yes** ☐ **No** **Vendor's proposal submitted:** ☒ **Yes** ☐ **No**	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.	
Place Order To	**Remit To**
Vendor Name: Compuware Corporation	**Vendor Name:** Compuware Corporation
Vendor Address: PO Drawer 64376	**Vendor Address:** PO Drawer 64376
Detroit, MI 48264-0376	Detroit, MI 48264-0376

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

CRAIG P. ORGERON, EXECUTIVE DIRECTOR   10/30/15

Name (Agency Head or Public University CIO)/Title   Signature   Date

Attachment B

October 14, 2015

Laura Pentecost
Information Technology Services
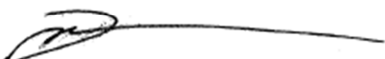3771 Eastwood Drive
Jackson, MS 39211

Dear Miss Pentacost

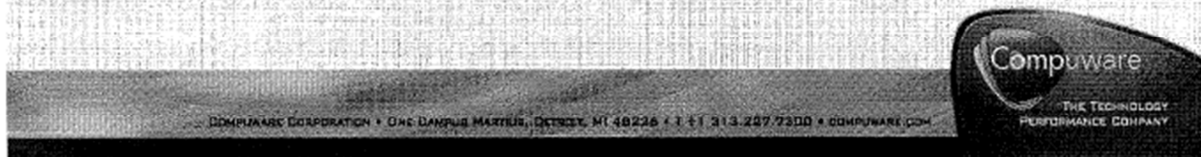RE: Sole Source of Supply for Compuware Products

This letter shall serve as Compuware Corporation's representation to *The Mississippi Department of Information Technology Services* that Compuware is the sole source of supply for upgrades, maintenance, support, new releases and additional copies for all Compuware Mainframe Software products, along with the related documentation. Compuware further represents that it is the sole owner and copyright holder of such software products.

If you have any questions or require further information, you may contact me at *(313) 227-1344*.

Sincerely,

Michael Olejniczak, Vice President-General Counsel, Legal/Contracts
COMPUWARE COPRPORATION

Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1.   The product or services being purchased must perform a function for which no other product or source of services exists,

2.   The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND

3.   The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1.   An explanation about why the amount to be expended is reasonable, and

2.   An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of $5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over $5,000 but not over $50,000 (not over $25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than $5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to $250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above $5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above $250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.